

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re the matter of

MARLA SMITH-ANDERSON and  
KEVIN ANDERSON,

Debtors.

NO. 19-11617  
CHAPTER 7

JUDGE JACK B. SCHMETTERER

NOTICE OF MOTION

TO:

Marla Smith-Anderson  
1645 S. Christina Ave.  
Chicago, IL 60623  
**BY U.S. MAIL**

Elliott Wall, Attorney for Debtors  
Phillip D. Levey, Chapter 7 Trustee

**BY ELECTRONIC TRANSMISSION**  
**BY ELECTRONIC TRANSMISSION**

PLEASE TAKE NOTICE that on June 18, 2019, at 10:00 a.m., or as soon thereafter as Counsel may be heard, we shall appear before the Honorable Jack B. Schmetterer, Bankruptcy Judge, at **219 South Dearborn Street, Courtroom #682, Chicago, Illinois**, and then and there present the attached Motion to Modify the Automatic Stay, a copy of which is hereby served upon you.

PROOF OF SERVICE

I, the undersigned attorney, certify that I served a copy of this Notice with Motion to Modify the Automatic Stay, attached, upon the parties listed above, by the methods specified, from 2056 Ridge Road, Homewood, Illinois 60430 before the hour of 5:00 P.M. on the 3<sup>rd</sup> day of May, 2019.

BY: /s/ Terri M. Long  
TERRI M. LONG

LAW OFFICES OF TERRI M. LONG  
2056 Ridge Road  
Homewood, Illinois 60430  
Phone: (708) 922-3301  
Fax: : (708) 922-3302

Atty. for SPECIALIZED LOAN SERVICING LLC, SERVICER FOR MTGLQ INVESTORS, L.P., its Successors and/or Assigns

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
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MOTION TO MODIFY AUTOMATIC STAY

Now comes SPECIALIZED LOAN SERVICING LLC, SERVICER FOR MTGLQ INVESTORS, L.P., its successors and/or assigns, (hereinafter referred to as “Movant”) a creditor herein, by TERRI M. LONG, its attorney, and moves this Honorable Court for entry of an Order modifying the restraining provisions of §362 of the Bankruptcy Code, and in support thereof respectfully represents as follows:

1. On April 22, 2019, the Debtors herein filed a petition for relief under Chapter 7 of the Bankruptcy Code.

2. Movant is a creditor of the Debtors with respect to a certain mortgage upon real estate, with a common address of 1645 Christiana Ave., Chicago, Illinois 60623, with a total debt of \$329,113.05 as of May 1, 2019.

3. The Debtors have not offered, and Movant is not receiving, adequate protection for its secured interest or depreciating value.

4. The Debtors have no real equity in the aforesaid real estate, and the said collateral is not necessary to an effective reorganization by the Debtors.

5. Movant will suffer irreparable injury, harm and damage should it be delayed in foreclosing its security interest therein.

6. According to the Debtors’ Statement of Intention, the Debtors intend to surrender this property to creditor.

7. SPECIALIZED LOAN SERVICING LLC services the loan on the Property referenced in this motion. In the event the automatic stay in this case is modified, this case dismisses, and/or the Debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Movant or Movant's successor or assignee. Movant, directly or through an agent, has possession of the Note. The Note is either made payable to Movant or has been duly endorsed. Movant is the original mortgagee or beneficiary or the assignee of the Mortgage/Deed of Trust.

8. Movant requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this motion.

WHEREFORE, SPECIALIZED LOAN SERVICING, LLC, SERVICER FOR MTGLQ INVESTORS, L.P., its successors and/or assigns, prays that this Honorable Court enter an Order modifying the restraining provisions of §362 of the Bankruptcy Code to permit the said Movant to foreclose its security interest in certain real estate, with a common address of 1645 S. Christiana Ave., Chicago, Illinois 60623, and for such other and further relief as this Court may deem just.

SPECIALIZED LOAN SERVICING, LLC,  
SERVICER FOR MTGLQ INVESTORS,  
L.P., its Successors and/or Assigns

BY: /s/ Terri M. Long  
TERRI M. LONG

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